

Capital One Services, Inc. 401 West A Street Suite 1000 San Diego, California 92101 Erin E. Costa
Capital One Services, I to.
401 West A Street
Suite 325
San Diego, CA 92101
erin.costa@capitalone.com
Fax: (619) 702-9050

May, 26, 2005

VIA 1 'acsimile (334-263-0491)
Norm in Hurst, Jr.
462-A Sayre St.
Montgomery, AL 36104

Re: Arzell Wilkerson v. Capital One Services, Inc.

Dear 1 Ir. Hurst:

This letter serves to confirm that you have agreed to provide Capital One with a 3 week extension to file a response to Plaintiff's Complaint. By my calculations, per Answer will be due June 16, 2005.

Please let me know if you have any questions or concerns. I will contact you after I have had a chance to review the Complaint and Mr. Wilkerson's account records.

Sincerely,

Erin E. Costa Litigation Specialist



IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA ARZELL WILKERSON, Plaintiff, CIVIL ACTION NO. VS. CV-04-2865-TMH CAPITAL ONE, Defendant. MOTION TO WITHDRAW

COMES NOW, Jason L. Holly and hereby requests this Court to enter an Order permitting the undersigned to withdraw as counsel for the Defendant Capital One in the above-styled matter. As grounds therefore, Jason L. Holly states as follows:

- Jason L. Holly has left the law firm of Starnes & Atchison LLP and 1. will no longer be involved in the representation of the Defendant.
- Rik S. Tozzi of the law firm of Starnes & Atchison LLP will continue 2. to provide representation of the Defendant in this matter.

WHEREFORE, PREMISES CONSIDERED, Jason L. Holly respectfully requests this Court to enter an Order permitting his withdrawal of counsel for the Defendant.

Rik S. Tozzi (102001) Jason L. Holly (HOL108) Attorneys for Defendant

#### OF COUNSEL:

STARNES & ATCHISON LLP Seventh Floor, 100 Brookwood Place Post Office Box 598512 Birmingham, Alabama, 35259-8512 (205) 868-6000

# **CERTIFICATE OF SERVICE**

I do hereby certify that I have caused a copy of the foregoing pleading to be mailed to counsel for all parties to this action on this the 2012 day of September, 2005.

cc:

Norman Hurst, Jr. Attorney at Law 462-A Sayre Street Montgomery, Alabama 36104 (334) 269-6449

{B0534997}

	IN THE CIRCLE	IT COURT OF M			
		II COURT OF M	ONTGOMERY COU	NTY, ALABA	MA
Arzel.	Plaintiff (s),	*			
	Plaintiff (s),	*		•	
v.		*	CASE NO. CV- O	4- 2865	STMH
Cari	L 1 000	*			
<u> </u>	Defendant(s)	*			
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	1. That this case is set for 2. That all discovery in:	or trial on /-/,>-	11 10 =	_, 200 <b>_6</b> at 9:00	a.m., Courtroom 3-A
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	motions for summary	indoment shall al	an 45 days before the a	bove designate	ed trial date. Any
	3. That if the parties des	ire a pre-trial cont	so be filed no later than	n 45 days befor	e the trial date.
4	4. That not later than 60 and addresses of all v	days before the d	esignated trial data	e arrangements	s with this Court.
	and addresses of all w	itnesses whom the	ey intend to call, excep	ties are require	ed to exchange the nar
4	. That not later than 14	uays before the m	181 date the narties are	roominad to C.	
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## IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

Arzell Wilkerson,	)	2005	
Plaintiff,	)		
<b>v.</b>	) 2865 ) CV-2004-2856		
Capitol One,	)	Ę,	
Defendant.	)	0	•

### **ORDER**

The Plaintiff's Motion to Amend Complaint is Granted and the Plaintiff is ordered to file the Amended Complaint in ten (10) days.

The Defendant's Motion to Dismiss is Denied as moot.

Done this 16th day of November 2005.

TRUMAN M. HOBBE TR **CIRCUIT JUDGE** 

Rik S. Tozzi cc: Norman Hurst, Jr. 12 V

IN THE CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

ARZELL WILKERSON,

Plaintiff,

VS.

GRANTED-44

CAPITAL ONE,

Defendant.

CIVIL ACTION NO. CV-04-2865-TMH

### **MOTION TO WITHDRAW**

COMES NOW, Jason L. Holly and hereby requests this Court to enter an Order permitting the undersigned to withdraw as counsel for the Defendant Capital One in the above-styled matter. As grounds therefore, Jason L. Holly states as follows:

- 1. Jason L. Holly has left the law firm of Starnes & Atchison LIT and will no longer be involved in the representation of the Defendant.
- 2. Rik S. Tozzi of the law firm of Starnes & Atchison LLP will commune to provide representation of the Defendant in this matter.

WHEREFORE, PREMISES CONSIDERED, Jason L. Holly respectfully requests this Court to enter an Order permitting his withdrawal of counsel for the Defendant.

IN THE CIR	CUIT COURT OF
MONTGOMERY	COUNTY, ALABAMA

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Arzell Wilkerson,	)	
Plaintiff,	)	
v.	)	CV-2004-2856
Capitol One,	• •	
Defendant.	)	
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The Plaintiff's Motion to Amend Complaint is Granted and the Plaintiff is ordered to file the Amended Complaint in ten (10) days.

The Defendant's Motion to Dismiss is Denied as moot.

Done this 16th day of November 2005.

CIRCUIT JUDGE

CC; Rik S. Tozzi Norman Hurst, Jr.